vss

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE CIVIL JURISDICTION

**WRIT PETITION NO.6937 OF 2002**

Smt.Kavita Sanjay Bharade ... Petitioner

V/s.

The State of Maharashtra & Ors. ... Respondents

Mr.S.S. Pakale for Petitioner
P.P. Kakade, AGP, for Respondent Nos.1 and 3
Mr.M.B. Mehere for Respondent No.2
Mr.Patil for Respondent Nos.4 and 5

CORAM: **V.G. PALSHIKAR, Ag.C.J &**
**SMT.NISHITA MHATRE, J.**

DATED: **FEBRUARY 1, 2006**

**P.C.:**

. By this Petition, the Petitioner has challenged the validity of Government Resolution dated 12.11.2001 and has prayed for a direction to Respondent Nos.1 and 2 to grant approval to the appointment of the Petitioner by Respondent Nos.3 and 4.

2. During the pendency of this Petition, the Division Bench of this Court at Aurangabad has taken a view that the scheme framed by the Government in relation to recruitment of 25% strength in schools from 1st to 7th standard is not altered by any judgment of this Court. Interest of justice would, therefore, be met if the respondent-institution is directed to

immediately lodge the claim for approval of the appointment of the Petitioner in light of the decision of this Court in *Kondiba Dattarao Mirashe v/s. State of Maharashtra* reported in **2003 II CLR 338.**

3. Such representation be made within a period of four weeks from today and the Education Officer will as far as possible decide the same in eight weeks thereafter.

4. Writ Petition is disposed off accordingly.

5. In view of the disposal of the Writ Petition, Civil Application No.2302 of 2004 is also disposed off.